

# **Exhibit 2**

May 30, 2019 email from Brent  
Nakamura to Patrick Madden  
et al.

**From:** [Brent Nakamura](#)  
**To:** [Patrick Madden](#); [Meghan Strong](#); [Nicholas Widnell](#); [Stacey Grigsby](#); [Marcy Norwood Lynch](#); [William A. Isaacson](#); [Ross McSweeney](#); [Rory Skaggs](#); [Suzanne Jaffe Nero](#); [Richard Pocker](#); [djc@campbellandwilliams.com](#); [jcw@campbellandwilliams.com](#)  
**Cc:** [Eric Cramer](#); [Michael Dell'Angelo](#); [jsaveri@saverilawfirm.com](#); [Kevin Rayhill](#); [Joshua Paul Davis](#); [JChen@saverilawfirm.com](#); [Richard A. Koffman](#); [Daniel Silverman](#); [Robert C. Maysey](#); [Jerome Elwell](#); [DSpringmeyer@wrslawyers.com](#); [Mark R. Suter](#)  
**Subject:** RE: *Cung Le, et al. v. Zuffa LLC*, 2:15-cv-01045 (D. Nev.) - Plaintiffs' Exhibit List  
**Date:** Thursday, May 30, 2019 6:04:33 PM

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Hello Patrick,

I have uploaded the backup materials used to generate the summary exhibits served on Plaintiffs on May 24 to our ShareFile site. These materials will allow you to examine or copy the exhibits and verify their accuracy.

You can access the ShareFile folder containing the materials at:

<https://bsfllp.sharefile.com> [REDACTED]

We are in receipt of your questions regarding the exhibits and believe the attached materials should assist you in understanding the accuracy and propriety of the inclusion of those exhibits on the exhibit list for the evidentiary hearing. Once you are able to examine the backup materials, we are available to meet and confer regarding the exhibits if you have further questions.

Thanks,  
Brent

**Brent K. Nakamura**

Associate

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**From:** Patrick Madden [mailto:[pmadden@bm.net](mailto:pmadden@bm.net)]

**Sent:** Wednesday, May 29, 2019 2:20 PM

**To:** Meghan Strong <[mstrong@bsfllp.com](mailto:mstrong@bsfllp.com)>; Nicholas Widnell <[nwidnell@bsfllp.com](mailto:nwidnell@bsfllp.com)>; Stacey Grigsby <[sgrigsby@bsfllp.com](mailto:sgrigsby@bsfllp.com)>; Marcy Norwood Lynch <[mlynch@bsfllp.com](mailto:mlynch@bsfllp.com)>; William Isaacson <[wisaacson@bsfllp.com](mailto:wisaacson@bsfllp.com)>; Ross McSweeney <[RMcSweeney@BSFLLP.com](mailto:RMcSweeney@BSFLLP.com)>; Rory Skaggs <[rskaggs@bsfllp.com](mailto:rskaggs@bsfllp.com)>; Suzanne Jaffe Nero <[snero@bsfllp.com](mailto:snero@bsfllp.com)>; Richard Pocker <[rpocker@bsfllp.com](mailto:rpocker@bsfllp.com)>; Brent Nakamura <[bnakamura@bsfllp.com](mailto:bnakamura@bsfllp.com)>; [djc@campbellandwilliams.com](mailto:djc@campbellandwilliams.com); [jcw@campbellandwilliams.com](mailto:jcw@campbellandwilliams.com)

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**Subject:** RE: Cung Le, et al. v. Zuffa LLC, 2:15-cv-01045 (D. Nev.) - Plaintiffs' Exhibit List

Nick and Meghan:

As we discussed yesterday, Plaintiffs have several questions concerning various of the "Summary Exhibits" Zuffa served on Plaintiffs for the first time on Friday, May 24, 2019.

Of particular concern are Summary Exhibit Nos. 1-4, 6-7, 10, and 12. Most of the material portrayed in these exhibits appears to be entirely new, either creating new metrics for analyzing the data (*e.g.*, "Fighter Share Deviations," "Foreclosure Share Deviations," etc.) or breaking down data in ways that neither Zuffa nor its experts has/have ever before done in this case. We are now 15 months past the close of expert discovery (not including the additional reports submitted by Dr. Topel and responsive reports submitted by Dr. Singer, the last of which was served over a year ago). Following a pattern on display throughout this litigation, having lost on its primary set of arguments, Zuffa simply moves on to the next. Zuffa has gone from "Wage share is never ever used by anyone, anywhere" to "Wage share is appropriately used to measure the effects of a change in monopsony power," to brand new arguments implicitly accepting the use of wage share, but creating new metrics for evaluating it (*e.g.*, "Fighter Share Deviations"). This is improper.

Plaintiffs request that Zuffa supply the following information for each of these Summary Exhibits:

1. When was the Summary Exhibit first created?
2. Was the Summary Exhibit created by one of Zuffa's testimonial experts or someone working under his direction? If so, identify the expert and all persons involved in the Summary Exhibit's creation. If not, identify the person or persons who created it.
3. On what specific information or data was the Summary Exhibit based? Note that, although each of these Summary Exhibits purports to cite some portion of Dr. Singer's "Backup," including, without limitation, the "Regression Data.dta" file, such citations are not sufficiently specific to evaluate the information portrayed in the Summary Exhibits or the elements or calculations that certain of the Summary Exhibits appear to reflect. We also request that Zuffa produce the live files in Excel (or other software where relevant) containing the formulae and other background computations used to create the Summary Exhibit.
4. Does Zuffa intend to introduce the Summary Exhibit through the examinations of any of its expert witnesses at the upcoming hearing? If so, which expert witness or witnesses? And, on what legal basis does Zuffa propose to base the introduction of entirely new matter at a hearing 15 months after the close of expert discovery in the case.
5. If Zuffa will be claiming that the Summary Exhibit portrays or depicts an argument or opinion set out in one of Zuffa's economist's reports, identify the report and the specific section or paragraph that purportedly contains the relevant argument or opinion.

Plaintiffs may have further questions concerning these or other Summary Exhibits as we continue to study Zuffa's exhibit list.

Best,

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PATRICK F. MADDEN / *Associate*  
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**From:** Meghan Strong <[mstrong@bsfllp.com](mailto:mstrong@bsfllp.com)>

**Sent:** Friday, May 24, 2019 8:22 PM

**To:** Mark R. Suter <[msuter@bm.net](mailto:msuter@bm.net)>; Stacey Grigsby <[sgrigsby@bsfllp.com](mailto:sgrigsby@bsfllp.com)>; Marcy Norwood Lynch <[mlynch@bsfllp.com](mailto:mlynch@bsfllp.com)>; William A. Isaacson <[wisaacson@bsfllp.com](mailto:wisaacson@bsfllp.com)>; Ross McSweeney <[RMcSweeney@BSFLLP.com](mailto:RMcSweeney@BSFLLP.com)>; Rory Skaggs <[rsdaggs@bsfllp.com](mailto:rsdaggs@bsfllp.com)>; Suzanne Jaffe Nero <[snero@bsfllp.com](mailto:snero@bsfllp.com)>; Richard Pocker <[rpocker@bsfllp.com](mailto:rpocker@bsfllp.com)>; Brent Nakamura <[bnakamura@bsfllp.com](mailto:bnakamura@bsfllp.com)>; [djc@campbellandwilliams.com](mailto:djc@campbellandwilliams.com); [jcw@campbellandwilliams.com](mailto:jcw@campbellandwilliams.com)  
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Counsel,

Please see attached.

Best,  
Meghan

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**From:** Mark R. Suter [<mailto:msuter@bm.net>]

**Sent:** Friday, May 24, 2019 7:19 PM

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**Subject:** Cung Le, et al. v. Zuffa LLC, 2:15-cv-01045 (D. Nev.) - Plaintiffs' Exhibit List

Counsel,

Please see attached.

Thanks,

Mark

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